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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAINBOW BUSINESS SOLUTIONS, D/B/A
PRECISION TUNE AUTO CARE, ET AL.

Plaintiffs,

v.

MERCHANT SERVICES, INC.; ET AL.,

Defendants.

Case No.: CV 10-01993 CW

**SUPPLEMENTAL DECLARATION
OF KRISTEN G. SIMPLICIO IN
SUPPORT OF PLAINTIFFS'
AMENDED MOTION FOR CLASS
CERTIFICATION**

REDACTED

Place: Courtroom 2, 4th Floor
Judge: Hon. Claudia Wilken

1 I, KRISTEN SIMPLICIO, declare as follows:

2 1. I am an attorney at the firm Gutride Safier LLP, counsel of record for Plaintiffs in
3 this action. I make this declaration of my own personal knowledge, and if called to testify, I
4 could and would competently testify hereto under oath.

5 2. Attached hereto as Exhibit HHHHH is a true and correct copy of excerpts from the
6 Deposition of Nathan Jurczyk.

7 3. Attached hereto as Exhibit IIIII is a true and correct copy of excerpts from the
8 Deposition of Volker Von Glasenapp.

9 4. Attached hereto as Exhibit JJJJJ is a true and correct copy of excerpts from the
10 Deposition of Verena Baumgartner.

11 5. Attached hereto as Exhibit KKKKK is a true and correct copy of excerpts from the
12 Deposition of Terry Jordan.

13 6. Attached hereto as Exhibit LLLLL is a true and correct copy of excerpts from the
14 Deposition of Rainbow Business Solutions.

15 7. Attached hereto as Exhibit MMMMM is a true and correct copy of excerpts from
16 the Deposition of Jerry Su.

17 8. Attached hereto as Exhibit NNNNN is a true and correct copy of excerpts from the
18 Deposition of Lina Kravic.

19 9. Attached hereto as Exhibit OOOOO is a true and correct copy of an email dated
20 January 17, 2013 from Jennifer Nigro, counsel for the Leasing Defendants, to me, including the
21 attached subpoena for Ms. Robyn Sands.

22 10. Attached hereto as Exhibit PTTTT is a true and correct copy of an email dated
23 January 18, 2013, which I sent to Ms. Nigro. I did not receive a response.

24 11. Attached hereto as Exhibit QQQQQ is a true and correct copy of a

25 I declare under penalty of perjury under the law of the United States that the foregoing is
26 true and correct.

27 /s/ Kristen Simplicio

28 May 23, 2013

Kristen Simplicio, Esq.